

TFC Contract No. 18-134-000
Vickrey & Associates, Inc.
Assignment No. 1
Project No. 20-025-0802

**INDEFINITE DELIVERY INDEFINITE QUANTITY
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
VICKREY & ASSOCIATES, INC.**

TFC CONTRACT NO. 18-134-000

ASSIGNMENT NO. 1

THIS INDEFINITE DELIVERY INDEFINITE QUANTITY ASSIGNMENT NO. 1

(hereinafter referred to as "Assignment No. 1" or "Assignment") is entered into by and between the Texas Facilities Commission, located at 1711 San Jacinto Boulevard, Austin, Texas 78701 (hereinafter referred to as "TFC") and Vickrey & Associates, Inc., located at 12940 Country Parkway, San Antonio, Texas 78216 (hereinafter referred to as "PSP") (TFC and PSP are hereinafter referred to individually as a "Party" or collectively as "Parties"), to be subject to the terms and conditions that follow:

DESCRIPTION OF PROJECT: The project for which PSP agrees to provide Professional Services is generally described as providing a Category 1A Condition II Survey and a Category 6 Condition II Topographic Survey for the Promontory Point Facility located at 4044 Promontory Point Road, Austin, Texas (hereinafter referred to as the "Project"), as further depicted in "Exhibit A-1," PSP's IDIQ Assignment No. 1 Proposal and List of Key Personnel dated February 12, 2020, Revised, attached hereto and incorporated herein for all purposes and consisting of four (4) pages.

DURATION OF ASSIGNMENT: The scope of services of this Assignment No. 1 shall be completed no later than April 17, 2020, unless terminated earlier as provided in Section 3.2 of the Agreement. The schedule is subject to adjustments for possible time extension; however, any extension of time must be approved by the TFC and shall require an amendment to Assignment No. 1.

SPECIAL TERMS AND CONDITIONS OF ASSIGNMENT: Terms and conditions shall be in accordance with the Agreement, any Special Conditions, and with this Assignment No. 1.

SUB-CONTRACTORS TO BE UTILIZED FOR PROJECT: PSP shall perform the services under this Assignment No. 1 with its own forces unless otherwise specified. If the scope of services is less than \$100,000.00, a HUB Subcontracting Plan (HSP) is not required. If the scope of services will exceed \$100,000.00, PSP shall submit an HSP for approval pursuant to Section 11.2 of the Agreement.

FEE FOR BASIC SERVICES: Fee for the services set forth in this Assignment No. 1 shall not exceed the sum of Eighteen Thousand Five Hundred and No/100 Dollars (\$18,500.00). No more frequently than once per month, PSP shall submit a Pay Application to TFC for services

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performed and reasonable and necessary costs and expenses incurred through the last day of the previous month. Any reimbursable expenses, if allowed, shall be in accordance with Section 4.6 of the Agreement.

IDENTIFICATION OF PSP PROJECT MANAGER AND ALL SUBCONTRACTOR:

For this Assignment No. 1, PSP shall identify the Project Manager, PSP's employees and all subcontractors assigned to this project on the List of Project Manager and Subcontractors (hereinafter referred to as the "List"), attached hereto and incorporated herein for all purposes as "Exhibit B-1."

TFC reserves the right to approve the appointment of the PSP Project Manager and to demand that the Project Manager, and any of PSP's employees or subcontractors, be removed and replaced if, in the sole opinion of TFC, their performance on this project or any other projects, is and/or was inadequate or their continued involvement with the Project is, will, or has become detrimental to the timely and successful completion of the project.

The Project Manager and Subcontractors identified in the List shall not be replaced by PSP, nor shall any other subcontractors be engaged by PSP, unless prior written consent is obtained from TFC, which consent shall not be unreasonably withheld, conditioned, or delayed.

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ENTIRE AGREEMENT AND MODIFICATION: The Agreement and this Assignment and their integrated attachment(s) constitute the entire agreement of the Parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Assignment specifically displays a mutual intent to amend a particular part of this Assignment, general conflicts in language between any such attachment and this Assignment shall be construed consistently with the terms of this Assignment. Unless otherwise expressly authorized by the terms of this Assignment, no modification, renewal, extension, or amendment to this Assignment shall be binding upon the Parties unless the same is in writing and signed by the respective Parties hereto.

This Assignment shall be effective as of the date of the last Party to sign.

TEXAS FACILITIES COMMISSION VICKREY & ASSOCIATES, INC.

By: DocuSigned by:
Mike Novak
B1C9FC0A8020417...

Mike Novak

Executive Director

Date of execution: 02/27/2020 | 9:20 AM CST

By: DocuSigned by:
Brenda Vickrey Johnson
08DA587E6C704C8...

Brenda Vickrey Johnson

President

Date of execution: 02/27/2020 | 8:54 AM CST

GC CR
Dir CDW
DED h

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EXHIBIT A-1

**PSP'S IDIQ ASSIGNMENT NO. 1 PROPOSAL AND LIST OF KEY PERSONNEL
DATED FEBRUARY 12, 2020 REVISED**

VICKREY & ASSOCIATES, Inc.
CONSULTING ENGINEERS

Revised February 12, 2020

Texas Facilities Commission
Attn: Mr. Randy Wells
P.O. Box 13047
Austin, Texas 78711-3047

Email: randy.wells@tfc.state.tx.us

Re: Promontory Point Facility Survey

Dear Mr. Wells,

The following scope of services is based on correspondence between Vickrey and Associates, Inc. (Consultant) and Texas Facilities Commission (Client). These professional services will be performed under the terms and conditions of a Subcontract agreed upon by both parties at a later date.

PROJECT AND PROPERTY DESCRIPTION

The property is located at 4044 Promontory Point Road, Austin, Texas, described as Lots 10, 11, 12 and 13, Block B, Missouri Pacific Industrial Park, Section 1, according to plat thereof recorded in Volume 52, Page 21, Plat Records of Travis County, Texas.

SERVICES TO BE PROVIDED**CATEGORY 1A CONDITION II SURVEY**

Consultant to provide services for the completion of a Boundary Survey of the above-referenced tract as recorded in Deed and Plat Records of Travis County, Texas. The survey will be completed to current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey. The standard TSPS certification will be utilized in the completion of the survey. Any modifications to this certification requested by the Client that are acceptable by Vickrey & Associates, Inc. will be made at an additional cost to the Client and will be billed on an hourly basis. Delays in Consultant's work and schedule shall be considered outside the scope and fee of this agreement and the additional cost to consultant will be billed as a supplemental service. The Client must furnish a current title commitment a minimum of five (5) business days prior to the completion of the survey. The survey will be scheduled to be delivered 20 business days after receipt of the signed Subcontract.

This agreement does not include services required for unusual boundary research beyond that furnished by Client's title company and additional field services related thereto, extensive analysis that may be required due to discrepancies in descriptions of subject tract boundary and/or adjoining deeds or where insufficient monumentation exists, to meet mandated standards for boundary resolution, tracts for which gaps and gores or gradient boundary line determinations are required and; determinations of applicability of archaic, vague or poorly documented easements as identified by Clients title company or others. This agreement does not include any governmental agency survey-related requirements, such as HUD surveys and Bureau of Land Management lands. These survey requirements may be negotiated at an additional cost to the client and will be billed as a supplemental service and at an hourly rate.



Randy Wells
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CATEGORY 6 CONDITION II TOPOGRAPHIC SURVEY

Consultant will perform a design-level topographic survey for the project limits. The survey will include; spot elevations at 50-foot intervals, plus grade breaks, visible surface utilities, pavement tie in points, crown of roads, curb and gutter, sidewalks, drainage structures, rip rap, manholes, manhole inverts and pipe sizes for sanitary and storm drain manholes, and bridge low chords. Consultant will utilize Autodesk Civil 3D to prepare the 3D DWG file.

Consultant will request a utility locate through Texas 811 service and will survey paint markings and flagging placed by utility purveyors in response to the Texas 811 locate request. The DGN file will be updated accordingly to reflect said markings.

EXCLUDED SERVICES

- Easement
- Civil Engineering
- Platting
- Zoning Matters

ITEMS TO BE PERFORMED BY OR PROVIDED BY CLIENT

- Right-of-Entry Coordination
- Title Commitment

FIXED FEE

- | | |
|--|--------------|
| • Category 1A Condition II Survey | \$ 7,500.00 |
| • Category 6 Condition II Topographic Survey | \$ 11,000.00 |

Should you need further information, please do not hesitate to call. We look forward to your reply and authorization to proceed.

Sincerely yours,

VICKREY & ASSOCIATES, INC.
TBPE Registration #159 / TBPLS Registration #10004100



Michael J. Vanderstappen
Project Manager / RPLS



VICKREY & ASSOCIATES, Inc.
CONSULTING ENGINEERS

February 12, 2020

Texas Facilities Commission
Attn: Randy Wells
P.O. Box 13048
Austin, Texas 78711-3047

Mr. Wells,

The following is a list of key personnel for the Promontory Point Facility Survey. Please do not hesitate to call should you have any further questions or concerns.

Vickrey & Associates, Inc. List of Key Personnel

Principal in Charge:	Robert M. Anguiano, RPLS 12940 Country Parkway San Antonio, Texas 78216 (210) 349-3271 ext. 212
Project Manager:	Michael J. Vanderstappen, RPLS 12940 Country Parkway San Antonio, Texas 78216 (210) 349-3271 ext. 215
Assistant Project Manager:	Jeremy Wood, RPLS 12940 Country Parkway San Antonio, Texas 78216 (210) 349-3271 ext. 223
Chief of Parties:	Marcus J. Box 12940 Country Parkway San Antonio, Texas 78216 (210) 349-3271 ext. 228
Survey Technician:	Mitchell M. Mazoch 12940 Country Parkway San Antonio, Texas 78216 (210) 349-3271 ext. 208
Survey Technician:	Daniel Garcia 12940 Country Parkway San Antonio, Texas 78216 (210) 349-3271 ext. 255



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Abstractor: Denise Flores
12940 Country Parkway
San Antonio, Texas 78216
(210) 349-3271 ext. 211

Party Chief: Jose Gonzalez
12940 Country Parkway
San Antonio, Texas 78216
(210) 502-3175

Party Chief: Andrew Valois
12940 Country Parkway
San Antonio, Texas 78216
(210) 843-4446

Field Crew: Marc Yzaguirre
12940 Country Parkway
San Antonio, Texas 78216
(210) 349-3271

Field Crew: Garry Prado
12940 Country Parkway
San Antonio, Texas 78216
(210) 349-3271

Sincerely,

VICKREY & ASSOCIATES, INC.
TBPE Registration #159 / TBPLS Registration #10004100



Michael J. Vanderstappen
Project Manager / RPLS



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EXHIBIT B-1

LIST OF PSP'S PROJECT MANAGER AND SUBCONTRACTORS

